

Nebraska Board of Engineers and Architects
Board Meeting Minutes
January 11, 2013

CALL THE MEETING TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor, Large Conference Room, Lincoln, Nebraska. Chair Helgoth called the meeting to order at 8:30 a.m. and noted the location of the Public Meeting Statutes. Notice of the meeting was published on the Board's website and the Lincoln Journal Star in compliance with the Open Meetings Act.

Roll Call: Present: Roger Helgoth, Chair; Tom Laging, Vice Chair; Jennifer Klein, Secretary; Mark Champion; Michael Conzett; Lori Krejci. Absent: Fred Choobineh; Krista Kester.

Staff Present: Jon Wilbeck, Executive Director (ED); Sandra Weaver, Administrator (AD); Lisa Mathews, Compliance Officer (CO); Jean Lais, Administrative Assistant (AA); Rachel Fetterman, Public Information Officer (PIO).

Open Meetings Act Overview

Notes taken at an Independent Agency Meeting on the Open Meetings Act were provided.

Public Comment/Appointments

9:00 a.m. - Rich Lombardi, American Communications, Inc.

Agenda Items

A Consent Agenda

Meeting Minutes

December 7, 2012 meeting minutes were approved as presented.

Licensure/Examination Applications

NCEES MLE – Engineers

E-14526 Graham Michael Andres, Civil; E-14473 Arthur Christian Broadbooks, III, Civil; E-14442 Greg Allen Bullington, Industrial; E-14512 Joseph Washington Chandler, Civil; E-14472 James Inman Daniel, Civil; E-14513 Stanley Major Fergusson, Civil; E-14445 Gary Rex Garrett, Electrical and Computer; E-14522 Jeremy Martin Gilstrap, Civil; E-14471 Tawab Abdul Kamawal, Civil; E-14524 John Mark Matkin, Civil; E-14443 Alan Duane Michels, Civil; E-14441 Michael Dennis Nelson, Electrical and Computer; E-14475 Craig Howard Petersen, Mechanical; E-14507 Brent Ross Robinson, Civil; E-14447 Adrian Dario Rozen, Civil; E-14515 Corey Steven Schrauben, Civil; E-14448 Douglas Wayne Siers, Structural; E-14450 Neal Everett Smith Civil; E-14528 Robert John Smith, Civil; E-12833 Paul Wesley Spears, Structural; E-14446 James Murray Stephenson, Structural; E-14474 Kevin Patrick Sullivan, Civil; E-14449 James Jule Thiede, Electrical; E-14444 George Edward Verstraete, Electrical; E-14521 Paul Michael Williams, Electrical and Computer.

NCARB Certification – Architects

A-4302 Jesse Thurman Adkins, III; A-4303 Bradley Thomas Barker; A-4307 Russell Mobley Baumann, A-4299 Alyssa Flynn Campbell; A-4300 Steve James Economou; A-4301 Shane Hansen Fernandez; A-4306 Nicholas Paul Zalany.

Temporary Permits

T-496 Michael Francis Doyle, Engineering, CO.

Organizational Practice – Certificates of Authorization

CA2885 Gregory D. Houston LLC; CA2886 Single Source LLC; CA2887 Pangean-CMD Associates Inc; CA2888 Sys-Tek; CA2889 ThermalTech Engineering Inc; CA2890 Z&F Consulting Inc; CA2891 John Labib Structural Engineers LLP; CA2892 Studio Gang Architects LTD; CA2893 Neal Smith Engineering Inc; CA2894 CLC Engineering LLC; CA2895 ISE Inc; CA2896 Ottolino Winters Huebner Inc; CA2897 Structural Design Group Inc; CA2898 SFA Design Group LLC; CA2899 David Ports Architect Inc; CA2900 Schwerdt Design Group Inc; CA2901 Starr Electric Co Inc; CA2902 Schieffer Engineering Consturction & Consulting LLC; CA2903 Water Resources Solutions LLC; CA2904 AZH Consulting Engineers; CA2905 Ingenuity Engineers Inc; CA2906 Hughes Associates Inc; CA2907 Multatech Engineering Inc; CA2908 WSP USA Corp; CA2909 Transduction Technologies; CA2910 Warner Nease Bost Architects Inc; CA2911 JM Matkin & Associates; CA2912 McMillen LLC; CA2913 Architectural Innovations LLC.

Engineer Intern Enrollment

Lisa Marie Briggs, KS; Michael Gregory Briggs, KS; William Patrick Kirby, MO; Russell Howard Lutch, NE; Joseph James Matuska, NE; Douglas Vernon Neutzling, NE; Matthew Paul Samuelson, NE; Alexander Paul Wehbe, NE.

Fundamentals of Engineering Examination

Austin Anthony Alladin, NE; Matthew Downing Bair, NE; Zachary Roger Blackford, NE; Samuel Robert Carey, NE; Lou Patrick Cubrich, NE; Benjamin Thomas Dean, NE; Brett Lee Engelbart, NE; Tyler Jay Farmer, NE; Shane Hanson Forney, NE; Cory Michael Gaston, NE; Christopher David Gettert, NE; Sam Yama Ghaleb, NE; Lindsey Michael Gonzales, NM; Kyle Thomas Hanson, NE; Cory James Haumont, NE; Edward John Hobza, III, NE; Nathan Joel Isom, KS; Steven Robert Jackson, NE; Cody Gerard Kimball, NE; Marques Lewis King, NE; Kortney Renee Kosiski, NE; Micah

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Davis Kreikemeier, NE; Tyler Jay Lerdahl, NE; Mengnan Liu, NE; Etienne Ngangue Nkoume, NE; James Donald Ortiz, IA; Wesley Ryan Ostdiek, NE; Taylor Matthew Ott, NE; Caleb Michael Peterson, NE; Tessa Claire Phillips, NE; Tyler Michael Pigman, NE; Brett Jerald Priebe, SD, Tyson Edward Quinn, NE; Mark Alexander Reichenbach, NE; Kara Anne Scheel, NE; Pranav Man Shakya, NE; Danielle Jennifer Simpson, NE; Jesse Alan Sindelar, NE; Piotr Robert Slawinski, NE; Matthew Merlyn Yazaki Smith, NE; Thomas Edward Spanel, NE; Katelyn Rebecca Stanley, NE; Chelsea Marie Stolinski, NE; Hao Sun, NE; Tyler James Thayer, NE; Joshua Dale Thede, NE; Samantha Frances Triba, NE; Traci Marie Tylski, NE; Manu Rao Vengeta Rao, NE; Logan Michael Wartick, NE; Todd Michael Welniak, NE; Christopher Kent Wilson, NE; Yuhang Xu, NE.

Approval of Consent Agenda

Action Motion by Krejci, second by Laging to approve the consent agenda. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

B Financial Matters

Budget Status Report, December 2012

MTD General Ledger Detail Report, December 2012

Fund Summary Report, December 2012

FY 2012/2013 Financial Profile, December 2012

ED Wilbeck reviewed the financial reports with the Board. The Financial Profile will be moved to the first agenda item under Financial Matters for the next meeting. It was noted a large portion of travel expenses would be funded by NCEES or NCARB in 2013 since Conzett is the NCEES Central Zone Vice President and several Board members have been appointed to national committees.

Approval of Financial Reports

Action Motion by Krejci, second by Conzett to approve the financial matters. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

Proposed Contracts for FY 2013-14

NEBOG Administrative Services Contract

The proposed FY 2013-14 contract providing administrative services for the Board of Geologists, beginning July 1, 2013, and ending June 30, 2014, was reviewed by the Board. The fiscal year fee is \$13,817 to be made in quarterly payments.

NSBLA Administrative Services Contract

The proposed FY 2013-14 contract providing administrative services for the State Board of Landscape Architects beginning July 1, 2013, and ending June 30, 2014, was reviewed by the Board. The fiscal year fee is \$13,616 to be made in quarterly payments.

Action Motion by Krejci, second by Conzett to approve the FY 2013-14 Board of Geologists and State Board of Landscape Architects administrative services contracts as presented. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

Robert F. Bartle, Esquire

The proposed FY 2013-14 contract with Robert F. Bartle, Esquire, beginning July 1, 2013, and ending June 30, 2014, provides for legal representation of the Board as Special Assistant Attorney General at a varied hourly rate of \$160 per hour for attorney fees, \$90 per hour for associate attorney fees, and \$40 per hour for law clerks and administrative staff working under his supervision. Pursuant to the constitutional and statutory authority of the Office of the Attorney General and at the request of the Board of Engineers and Architects, the appointment of Robert Bartle as Special Assistant Attorney General was extended to June 30, 2014.

Action Motion by Laging, second by Krejci to approve the FY 2013-14 contract with Robert F. Bartle, Esquire, as presented. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

Robert Hanna, Robert Hanna Studios

The proposed FY 2013-14 contract with Robert Hanna, Robert Hanna Studios, beginning July 1, 2013, and ending June 30, 2014, provides for black and white graphics services for use in the Board newsletter and graphic services for public information activities as requested by the Board not to exceed a maximum fee of \$1200.

Action Motion by Conzett, second by Laging to approve the FY 2013-14 contract with Robert Hanna, Robert Hanna Studios, as presented. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

American Communications Group, Inc.

The proposed FY 2013-14 contract with American Communications Group, Inc., beginning July 1, 2013, and ending

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June 30, 2014, provides for legislative liaison activities, attendance of Board meetings during the legislative session to provide updates, attendance of the Board's Legislative Committee meetings, and assistance with strategizing future revisions of the Board's Act and Rules and Regulations for a maximum fee of \$21,000. An American Communications Group clientele list was reviewed. No apparent conflicts were noted.

Action Motion by Krejci, second by Laging to approve the FY 2013-14 contract with American Communications Group, Inc. as presented. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

C Applications

Licensure/Examination

Applications for licensure of Engineers by Comity

Approved: Eric Stephen Bahr, Civil, MO; Christopher Robert Coble, Mechanical, NC; Vladimir Jeff Dain, Mechanical, MN; Michael Francis Doyle, Mechanical, MN; Collin Davis Koranda, Civil, CO; Aaron F. Nottis, Civil, NY; Steve J. Salazar, Jr. Civil, NM; Yajai Tinkey, Civil, TX; Michael Anthony Walsh, Jr., Civil, PA.

Applications for licensure of Engineers by Experience

Approved: Michael Ernest Myers, Mechanical, OH.

Applications for licensure of Architects by Experience – None

Applications for licensure by Reinstatement

Approved: E-7378 Gregory Alan Krieser, E-5772 Kevin James McGlynn; A-3157 John Rudell Wells, III.

Applications to take the ARE Exam

Approved: Adam Harold Donner, NE; Kendra Ray Thompson, NE.

Applications to take the PPE Exam

Approved: Steven William Arens, Civil, IA; Lisa Marie Briggs, Structural VL, KS; Michael Gregory Briggs, Structural VL, KS; Jeffrey Michael Crawford, Mechanical, KS; Brett Joseph Garner, Electrical & Computer, NE; Brandon Lamount Kyle, Structural VL, NE; Russell Howard Lutch, Civil, NE; David John Manley, Mechanical, CO; Joseph James Matuska, Civil, NE; Matthew Nels Nelson, Civil, NE; Abinav Pandey, Electrical & Computer, KS; Melissa Rae Polito, Civil, NE; Nicholas Patrick Reiser, Structural VL, NE; Matthew Paul Samuelson, Civil, NE; Matthew Thomas Tomanek, Civil, NE.

Special Cases – Applications for Engineer Intern Enrollment

Approved: Mohamed Elkady, NE.

Special Cases – Applications to take the PPE Exam

Approved: Mohamed Elkady, Civil, NE; Kathryn Ann Brenneman, Civil, NE.

Approval of Licensure and Examination Applications

Action Motion by Conzett, second by Krejci to approve enrollment, examination and licensure applications as discussed. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

Continuing Education Exemption Requests

Request for waiver of continuing education

Action Motion by Conzett, second by Krejci to approve a continuing education waiver for renewal of license E-4767 because of an illness. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

Confirmation of exemption of continuing education

ED Wilbeck reported renewing license E-5831 after verifying the licensee's temporary active duty in the armed forces met the requirements for a continuing education exemption.

Licensing Information

Comparison of ABET-EAC Accredited Programs and NCEES Education Standard provided.

D Compliance

Logs

Current complaints presented.

History of closed complaints presented for Board information only.

Executive Session – Commenced at 9:14 a.m.

Action Motion by Conzett, second by Krejci to enter into executive session for discussion of pending and new compliance cases not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

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Action **Executive Session – Concluded at 9:17 a.m.**
Motion by Laging, second by Krejci to close executive session for discussion of pending and new compliance cases not a matter of public information to prevent needless injury to the reputation of those involved. The limitation for going into executive session was restated by Vice Chair Helgoth. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

Pending Cases

11.04 – Summary

Reviewed in executive session. Case will continue to be monitored.

12.08 – Summary and Documentation

Reviewed in executive session. Case will continue to be monitored.

12.09 – Summary and Documentation

Reviewed in executive session. Case will continue to be monitored.

New Cases

12.10 – Summary and Documentation

Reviewed in executive session. Case will continue to be monitored.

Renewal Disclosure

License renewal disclosure

Reviewed in executive session.

Approval of Renewal Disclosure

Action Motion by Krejci, second by Klein to renew license E-5424 and send a letter of caution. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

E Committee Reports

2012 Committee Assignments

Committee appointments and assignments as implemented in the 2012 Strategic Planning Session.

Executive Committee Report

No report at this time.

Education and Communication Committee Report

An updated activity report for the Board's Facebook account and a website statistical report were presented by PIO Fetterman. A news release concerning LB 7 will be issued on Facebook. Fetterman will check to see if the LinkedIn would be beneficial for Board use. The issue will be added to the Strategic Planning agenda. Committee Chair Conzett reported the Education and Communication Committee had not met in last couple of months. The Committee will be looking at scheduling a Continuing Education event.

Enforcement Committee Report

The Enforcement Committee met on January 8, 2013. The Committee discussed Certificates of Authorization, coordinating professional issues, disclosure at license renewal, revision of closed complaint reports, and tower cranes. Committee Chair Krejci reported a new Certificate of Authorization form was created to collect data. Information will be gathered for a period of two years. A Coordinating Professional brochure is being drafted but language could also be added to rules and regulations to accommodate brochure changes. A letter will be sent to OSHA asking for general information on safety issues of the tower crane industry. The Board was in agreement to revise the disclosure statements on the license renewal form and online renewal site as suggested by the Committee to ensure uniformity and omit the need to send documentation again on previously disclosed charges and/or actions when renewing a license.

2014 NCEES Zone Meeting Planning Committee Report

The 2014 NCEES Zone Meeting Planning Committee met on January 4, 2013. ED Wilbeck reported the golf course was available and he would check with NCEES to see who should reserve it. Speedway has been contacted for a reservation. An emcee is needed for the banquet to hand out awards. Tours will be set up at James Arthur Vineyard and the International Quilt Study Center & Museum in conjunction with a luncheon.

Legislative Committee Report

Lombardi reported the 103rd Legislature brings ten new senators and one former member to the floor. LB 7, which will change and eliminate provisions relating to signatures and seals in the Engineers and Architects Regulation Act, has been assigned to the Health and Human Services Committee. An attempt will be made to meet with all members

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of the Committee prior to the public hearing. Hearings will likely not begin until after mid January. Because of the nature of the bill, controversy is not anticipated. Bills of interest have been reviewed with the Board's Legislative Committee to see if there is an impact on the Board. Lombardi stated that a tracking document for legislative bills will be forwarded to the Board on a weekly basis. Nebraska is reporting good economic receipts in December. Lombardi left the meeting at 9:12 a.m.

A Legislative bill draft to amend Neb. Rev. Stat. §§ 81-3436, 81-3437, 81-3450, and 81-3454 to change and eliminate provisions relating to signatures and seals was reviewed by the Board. Approval of the bill as drafted was received from ACEC of Nebraska and the Nebraska Chapter of the AIA. ED Wilbeck reported the Legislative Committee would meet soon. A summary of changes in LB 7 will be emailed to NACO and the League of Municipalities. A rewrite of statute will occur next year. Rules and regulations will detail the statute changes.

F Old Business

Governance Issues

Revision of Policy 03.04 – Reimbursement of Educational Debt for Engineering Graduates

With respect to § 81-3432.01, each eligible individual who passes the Fundamentals of Engineering examination on their first attempt no later than six (6) months after graduation is eligible to be reimbursed \$50 by the Board of Engineers and Architects. Individuals who retake the exam because of a no show or failure are not eligible for reimbursement. In order to receive reimbursement, proof of graduation must be officially issued by the degree-granting institution and received by the Board within a year of graduation. Payment will be a warrant issued by the State of Nebraska.

Action Motion by Conzett, second by Krejci to approve the revision of Board Policy 03.04. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

Engineering Items

Question regarding plumbers and the practice of engineering

A response letter draft concerning Neb. Rev. Stat. § 81-3453 *Practice of Engineering; Exempted Activities* was reviewed by the Board.

Action Motion by Conzett, second by Champion to approve sending the response letter as presented. Voting Yes: Conzett, Klein, Krejci, Laging, Champion, Helgoth. Voting No: None. Absent: Choobineh, Kester.

A break was taken at the meeting from 9:55 a.m. to 10:03 a.m.

Online Services

Nebraska.Gov response to fixed fee contract inquiry

ED Wilbeck reported online license renewals, reciprocity applications, and conference registrations are currently handled by Nebraska.Gov through Nebraska Interactive. A proposal was received to return the renewal fee to \$100 and the additional \$10 per renewal would be earmarked for Nebraska Interactive to recoup processing services and associated costs if other applications are added. The change in funding would allow for smaller apps such as the Fundamental Exam Applications to be added to online processes. ED Wilbeck proposed the Board leave applications as they are currently handled and work on developing an in-house procedure to collect application information. The Board was in agreement to proceed accordingly.

Other

Veterans education benefits – Reimbursement of licensing test fees

ED Wilbeck reported the question was posed to Jerry Carter of NCEES concerning reimbursement of examination fees for veterans. The process for reimbursement of exam administration was approved in South Carolina. ED Wilbeck and PIO Fetterman talked about developing a newsletter article and a Facebook post regarding this topic.

G New Business

Engineering Items

NCEES Board Presidents Assembly agenda

The NCEES Board Presidents' Assembly will be held February 7-9, 2013, in Atlanta, GA. An agenda was presented for Board review.

Nominations for NCEES National Awards

The NCEES Committee on Awards is currently soliciting nominations for the awards to be presented at the 92nd Annual Meeting in San Antonio, TX, on August 21-24, 2013. Recognition will be given to individuals who have made exceptional contributions and provided outstanding service to NCEES. Nominations must be received at NCEES headquarters no later than January 31, 2013. A nomination submittal will be considered next year by the Board.

Communication from engineer concerning NDOR course offering

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The board reviewed a comment concerning a NDOR course offering from a professional engineer licensed in Nebraska. Chair Helgoth will communicate with the engineer about the issue.

2013 Engineers Week emcee request

Chair Helgoth encouraged members to attend National E-Week and emphasized the need for a presence from the Board. Conzett stated he was willing to serve as Master of Ceremonies as requested.

Architecture Items - *None at this time.*

Other

2013 regional and national meeting travel authorization

Helgoth was authorized as a representative of the NCEES Education Committee to attend a meeting in Manhattan, KS, with Dick Hayter, member of the Kansas State Board and ASHRAE, on January 23, 2013. Expenses will be funded by NCEES.

Helgoth and Conzett were authorized to represent the Board and in a class of Professor Dr. Dahab at UNO or UN-L in February. Either Helgoth or Conzett will attend.

Conzett, Helgoth and Klein were authorized to attend the NeSPE Legislative Luncheon on February 21, 2013, at the Country Club of Lincoln, NE. Staff will send a RSVP for authorized members.

Conzett, Helgoth and Klein were authorized to attend the Engineers' Week Banquet as guests of the Engineers' Roundtable to celebrate E-Week. The banquet will be held on February 21, 2013, at the Strategic Air and Space Museum in Ashland, NE. Staff will send a RSVP for authorized members.

Laging was authorized to attend the NCARB Annual Meeting in San Diego, CA, on June 19-22, 2013.

Choobineh was authorized and appointed as the funded delegate for the NCEES Annual Meeting in San Antonio, TX, August 21-24, 2013.

Conzett noted he would be funded for all NCEES events attended while serving as the NCEES Central Zone Vice President.

H General Information

Public meeting notice publication

A public notice request was sent to the Lincoln Journal Star for the January 11, 2013 meeting.

Board meetings and schedule

A current schedule was provided.

Roster of Board members

A current roster was provided.

Reappointment of Kester

Notice of reappointment was received for Board member, Krista Kester. The new term will begin March 1, 2013, and expire on February 28, 2018.

Travel Reimbursement Policy

Effective January 1, 2013, the standard mileage rate for personal vehicles used for State business was changed to 56.5 cents by Administrative Services as per Neb. Rev. Stat. § 81-1176.

Licensing and Certification Trends

Trends in Licensure

Trends in Renewals

Trends in Certificates of Authorization

Database reports for licensure trends, renewal statistics, and active certificates of authorization were provided.

Nebraska Engineering Exam Results

October 2012 overall exam performance - FE

The NCEES October 2012 FE overall exam performance summary was presented for review. A total of 165 examinees sat for the FE exam in Nebraska.

October 2012 overall exam performance by discipline - PE

The NCEES October 2012 PE overall exam performance by discipline summary was presented for review. A total of 72 examinees sat for the PE exams in Nebraska.

October 2012 structural exam and component results summary – PE

The NCEES October 2012 PE structural exam and component results summary was presented for review. Thirteen examinees sat for the vertical component and seven examinees sat for the lateral component of the Structural

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exam.

Other information

Current Board policies were provided as approved.

Adjournment

The meeting was adjourned at 10:34 a.m.

Jennifer Klein, Secretary